

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OLIVIA Y., et al

PLAINTIFFS

vs

CIVIL ACTION NO. 3:04cv251LN

HALEY BARBOUR, et al.

DEFENDANTS

**DEFENDANTS' SECOND SUPPLEMENTAL RESPONSES TO PLAINTIFFS'
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

COME NOW Haley Barbour, as Governor of the State of Mississippi, Donald Taylor as Executive Director of the Mississippi Department of Human Services and Billy Mangold, as Director of the Division of Family and Children's Services ("Defendants"), by and through their attorneys of record, and file their second supplemental responses to Plaintiff's First Requests for Production of Documents, as follows:

General Objection

Defendants object to these Requests to the extent that they are overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving objections, Defendants will produce the following documents:

Document Request No. 2: All written policies, procedures and directives in your possession, custody or control, issued by DFCS at the state and regional level and in effect as of March 30, 2004, or thereafter, that relate to protecting and providing services to children in DHS custody, including but not limited to such policies, procedures and directives regarding:

- a. Taking children into DHS custody.
- b. Assessing children taken into DHS custody.
- c. Selecting placements for children taken into DHS custody.



- d. Placing children in DHS custody with relatives.
- e. Placing children in DHS custody in settings that have not been licensed by DHS.
- f. Providing foster care and case management services.
- g. Reporting, receiving, memorializing, screening and processing reports of abuse or neglect of children in DHS custody.
- h. Investigating reports of abuse and neglect of children in DHS custody.
- i. Referring reports of abuse and neglect of children in DHS custody to the Youth Court.
- j. Evidencing or substantiating reports of abuse or neglect of children in DHS custody.
- k. Selecting a permanency goal (e.g. reunification, permanent relative placement, adoption, emancipation).
- l. Legally freeing children for adoption.
- m. Placing children in adoptive homes.
- n. Monitoring compliance with all state and federal laws, rules, regulations and policies governing the provision of child welfare services to children in DHS custody.

Response No. 2: Defendants object to this Request to the extent that it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving objections, Defendants will produce the following:

- 1) Bulletin # 5922 dated January 21, 2005 regarding Reports Involving Residents of Unlicensed Personal Care Homes (Bates No. DHS 032623-032629).

Document Request No. 5: All documents in your possession, custody or control, regarding problems and/or inaccuracies in MACWIS data such as described on pages 22-23 of the Self-Assessment and all documents regarding efforts to address those problems and/or inaccuracies.

Response No. 5: Defendants object to this Request to the extent that it is overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Without waiving objections, Defendants will produce the following:

- 1) U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth, and Families, Children's Bureau – National Child Abuse and Neglect Data System (NCANDS) – Summary Data Component Survey – 2000 Data Year dated April 2000 (Bates No. DHS 030538-030556);
- 2) National Child Abuse and Neglect Data System (NCANDS) – SDC Data File Report (2001) (Bates No. DHS 030557-030573);
- 3) AFCARS Foster Care Data Compliance Detailed Report, March 2002 (Bates No. DHS 032630-032752); and
- 4) AFCARS Foster Care Data Compliance Detailed Report, September 2002 (Bates No. DHS 032753-032882).

Respectfully submitted,

HALEY BARBOUR, as Governor of the State of Mississippi; DONALD TAYLOR, as Executive Director of the Department of Human Services; and BILLY MANGOLD as Director of the Division of Family and Children's Services

MCGLINCHEY STAFFORD, PLLC

By: 
Betty A. Mallett (MSB #8867)

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that I have mailed, via United States Postal Service, proper postage affixed, the foregoing, to the following counsel of record:

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New York, NY 10154

SO CERTIFIED, this the 11th day of April, 2005.


Betty A. Mallett

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FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OLIVIA Y., et al

PLAINTIFFS

vs

CIVIL ACTION NO. 3:04cv251LN

HALEY BARBOUR, et al.

DEFENDANTS

NOTICE OF SERVICE

Notice is hereby given that Defendants Haley Barbour, Donald Taylor and Billy Mangold have caused to be served in the above matter the following:

1. Defendants' Second Supplemental Responses to Plaintiffs' First Request for Production of Documents.

This, the 11th day of April, 2005.

Respectfully submitted,

**HALEY BARBOUR, as Governor of the State of
Mississippi; DONALD TAYLOR, as Executive Director
of the Department of Human Services; and
BILLY MANGOLD as Director of the Division of
Family and Children's Services**

MCGLINCHEY STAFFORD, PLLC

/s/ Betty A. Mallett
By: Betty A. Mallett (MSB #8867)

OF COUNSEL:

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I also certify that I have this day served a copy of the foregoing on the following non-ECF participants by United States Mail, postage prepaid:

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/s/ Betty A. Mallett
Betty A. Mallett

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PLAINTIFFS

vs

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HALEY BARBOUR, et al.

DEFENDANTS

**DEFENDANTS' SECOND SUPPLEMENTAL DISCLOSURE OF CASE RECORDS OF
NAMED PLAINTIFFS**

COME NOW Haley Barbour, as Governor of the State of Mississippi, Donald Taylor as Executive Director of the Mississippi Department of Human Services and Billy Mangold, as Director of the Division of Family and Children's Services ("Defendants"), by and through their attorneys of record, and file Defendants' Second Supplemental Disclosure of Case Records of Named Plaintiffs as follows:

1. For Olivia Y., Defendants are producing documents labeled as DHS Olivia Y. 000104-000157;
2. For Jamison J., Defendants are producing documents labeled as DHS Jamison J. 000286-000401;
3. For John A., Defendants are producing documents labeled as DHS John A. 000083-000135;
4. For Cody B., Defendants are producing documents labeled as DHS Cody B. 000068-000082 and DHS Cody B. 000085-000087. Defendants received two pages from MDHS



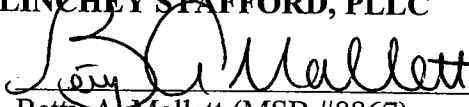
which were inadvertently included in the records for Cody B. and labeled as DHS Cody B. 000083-000084 but were not related to any children in MDHS custody.

5. For the W. Children, Defendants are producing documents labeled as DHS Williams 000132-000348.

Respectfully submitted,

**HALEY BARBOUR, as Governor of the State of
Mississippi; DONALD TAYLOR, as Executive Director
of the Department of Human Services; and
BILLY MANGOLD as Director of the Division of
Family and Children's Services**

MCGLINCHEY STAFFORD, PLLC



By: Betty A. Mallett (MSB #8867)

OF COUNSEL:

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Notice is hereby given that Defendants Haley Barbour, Donald Taylor and Billy Mangold have caused to be served in the above matter the following:

1. Defendants' Second Supplemental Disclosures of Case Records of Named Plaintiffs.

This, the 11th day of April, 2005.

Respectfully submitted,

**HALEY BARBOUR, as Governor of the State of
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of the Department of Human Services; and
BILLY MANGOLD as Director of the Division of
Family and Children's Services**

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/s/ Betty A. Mallett

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OF COUNSEL:

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/s/ Betty A. Mallett
Betty A. Mallett

Discovery Documents

3:04-cv-00251-TSL-AGN Johnson, et al v. Barbour, et al

U.S. District Court

Southern District of Mississippi

Notice of Electronic Filing

The following transaction was received from Mallett, Betty entered on 4/11/2005 at 3:42 PM CDT and filed on 4/11/2005

Case Name: Johnson, et al v. Barbour, et al

Case Number: 3:04-cv-251

Filer: Haley Barbour
Donald Taylor
Billy Mangold

Document Number: 93

Docket Text:

NOTICE of Service of Disclosure by Haley Barbour, Donald Taylor, Billy Mangold.(Mallett, Betty)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1081288797 [Date=4/11/2005] [FileNumber=106097-0]
[1b2ce0c04d41e1161e8e70709f8133a437d1d6c5265f8ca5dfc40a85fea7520c9030
2964c388e31d2fda6cebfe902afaa5ad9fe5eb7df8cc68f55a50b4b43042]]

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3:04-cv-251 Notice will be delivered by other means to:

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